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PART I

IMPORTANT GOVERNMENT ORDERS

CHIEF SECRETARIAT

Issues orders re. the fixation of seniority of local candidates whose services are regularised by virtue of G. O. No. GAD 46 SRR 59, dated 22nd September 1961.

REFERENCE—

Government Order No, GAD 46 SRR 59, dated 22nd September 1961.

OFFICIAL MEMORANDUM

No. GAD 128 SRR 64, DATED BANGALORE, THE 28TH SEPTEMBER 1964.

In the Government Order cited above, certain clarifications in the matter of regularisation of the services of the local candidates were issued. This order was the subject matter of Writ Petition No. 117/1963, wherein an official of the Directorate of Statistics had sought for a writ of *certiorari* for quashing the said

Government Order, alleging, that it perpetrates inequality amongst local candidates, discriminating against those selected by the Public Service Commission, and in favour of those not selected by the Public Service Commission.

While dismissing the writ petition, and upholding the validity of the Government Order referred to above, the High Court has observed, that the true effect of sub-clauses (i), (ii) and (iii) of clause 2 and clause 4 of the Government Order is, that though for the purpose of leave, pension and increments the local service of a regularised candidate has to be taken into consideration, in accordance with rules on the subject, so far as the question of seniority is concerned, the relevant date is the date of regularisation, and not the earlier service, continuous or otherwise. This is so, even in the case of local candidates, who are subsequently appointed through the Public Service Commission and whose seniority will count from the date of appointment.

The Heads of Departments are requested to fix the seniority of the local candidates, who are regularised by virtue of Government Order No. GAD 46 SRR 50, dated 22nd September 1961 and those selected through the Public Service Commission, in the manner indicated above.

B. PURUSHOTHAM,

Under Secy. to Govt. G. A. D. (Service Rules).

Directs the appointing authorities not to insist on the Medical Examination of the physically handicapped persons for employment in Government service sponsored by the Employment Exchange, Bangalore.

REFERENCE—

O.M. No. GAD 35 SRR 62, dated 31st July 1963.

OFFICIAL MEMORANDUM

No. GAD 53 SRR 64, DATED BANGALORE, THE 8TH SEPTEMBER 1964
(BHADRAPADA 17, SAKA ERA 1886).

In Official Memorandum dated 31st July 1963, it was impressed upon all the appointing authorities that before appointing persons with physical deformities the candidates concerned should be subjected to a thorough medical examination by a Medical Board. It is now brought to the notice of Government by the Director, National Employment Service in Mysore, Bangalore, that a Special Employment Exchange has been established in Bangalore as a first step to assist the physically handicapped persons in providing suitable employment to them. The Director, National Employment Service, has also stated that the registration and selection of these physically handicapped persons in the Special Employment Exchange in Bangalore are being done on scientific lines after obtaining Medical advice on the capacity and suitability of the person for the vacancies in which they could give satisfactory and better performance.

In partial modification of the instructions issued in the Official Memorandum cited above, all the appointing authorities are requested not to insist on the usual medical examination for first entry into Government service by a Medical Board or any other authority for appointing *physically handicapped persons* under the State Government Service when such a person is found fit for any particular job by the Special Employment Exchange for the physically handicapped persons at Bangalore taking into consideration their physical disability and their functional capacity notwithstanding the disability they are suffering from.

B. PURUSHOTHAM,

Under Secy. to Govt., G. A. D. (Services Rules).